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LETTER DATED 21 NOVEMBER 1997 FROM THE PERMANENT REPRESENTATIVE OF GEORGIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that in violation of the decision of the Council of Heads of State of the Commonwealth of Independent States adopted on 19 January 1996, which was subsequently welcomed by the Security Council (S/PRST/1996/20), the Prime Minister of the Russian Federation has decided to permit the passage of agricultural commodities from Abkhazia, Georgia, through the territory of the Russian Federation.

The President of Georgia, Mr. Eduard Shevardnadze, expressed serious concern at the unlawful changes occurring in the frontier and customs regimes of the Russian Federation.

The enclosed text is the official statement issued by the Press Service of the President of Georgia with regard to these developments.

May I ask your kind assistance in having the present letter and its annex circulated as a document of the Security Council.

(Signed) Peter CHKHEIDZE
Ambassador
Permanent Representative

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Annex

[Original: Russian]

Statement by the Press Service of the President of Georgia, dated 18 November 1997

On 17 November 1997 the Interfax Agency, Moscow, issued a report claiming that "the Prime Minister, Mr. Viktor Chernomyrdin, considered unfounded the harsh comments by the President of Georgia, Mr. Eduard Shevardnadze, regarding the decision by the Russian Government to permit the passage of agricultural commodities from Abkhazia across the Russian border".

The fact is that the Council of Heads of State of the Commonwealth of Independent States adopted a decision on 23 October 1997, paragraph 4 of which states:

> "Any further delay in the process of organizing the return of refugees and displaced persons is considered unacceptable. It is therefore decided to make an urgent demand that an orderly return of refugees and displaced persons should be initiated, in the first instance to the Gali region (within the old borders), on the basis of the mechanisms agreed between the representatives of the parties, the Russian Federation and the Office of the United Nations High Commissioner for Refugees.
>
> "On the return of the refugees and displaced persons to the Gali region (within the old borders) appropriate action may be taken to embark on the economic regeneration of the area and to consider the question of the normalization of the border and customs regimes."

In accordance with this decision, therefore, the return of refugees and displaced persons to the Gali region (within the old borders) constitutes an essential condition for beginning the process of the normalization of the border and customs regimes on the border between Georgia and Russia along the river Psou.

Unfortunately, this decision, which was publicly and specifically announced by the President of the Russian Federation, Mr. Boris Yeltsin, at the end of the Kishinev Summit, has not yet been signed.

Nevertheless, measures are being taken, with enviable efficiency and without the agreement of the Georgian authorities, to make changes to the border and customs regimes at the Psou border.

Thus, by decree No. 1397 dated 7 November 1997 of the Government of the Russian Federation, permission is granted to the relevant state bodies of the Russian Federation to transport citrus products and other forms of agricultural produce from Abkhazia, Georgia.

In this connection the Press Service of the President of Georgia is authorized to state that such actions constitute a gross violation of the above-

mentioned decision by the Council of Heads of State and of the Council's decision of 19 January 1996 in Moscow "On measures to settle the conflict in Abkhazia, Georgia", paragraph 6 of which states:

> "Confirming that Abkhazia is an inalienable part of Georgia, the States parties of the Commonwealth shall not, without the agreement of the Government of Georgia:
>
> "(a) Conduct commercial or economic, financial, transportation or other operations with the authorities on the Abkhaz side;
>
> "(b) Enter into official contact with the representatives or functionaries of bodies situated in the territory of Abkhazia or with members of armed units raised by them."

It should be pointed out that as long ago as 10 February 1995 the Council of Heads of State adopted a Memorandum on the maintenance of peace and stability in the Commonwealth of Independent States, which stated: "The Governments undertake not to maintain in the territory of other States parties separatist movements or separatist regimes, if such should arise; not to establish political, economic or other ties with them; not to permit the use by such groups of the territories or communications of the States parties of the Commonwealth; and not to extend to them any economic, financial, military or other assistance."

The decision by Mr. Chernomyrdin to provide the separatists with "hothouse" conditions, therefore, flies in the face of the widely publicized decision of the States parties of the Commonwealth and undoubtedly deals a considerable blow to the authority of the Commonwealth of Independent States and to the process of settling the conflict in Abkhazia, Georgia. The President of Georgia was thus fully justified in making his comments.